

seines of not more than twenty (20) feet in length for the purpose of taking minnows for bait; prohibiting persons other than the owner from entering upon or fishing from rafts, piers, or boats; providing a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

March 6, 1941

House Bill No. 241.

House Bill No. 250.

March 10, 1941

House Concurrent Resolution No. 58.

House Bill No. 276.

THIRTY-FIFTH DAY

(Wednesday, March 12, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Clark
Allen	Cleveland
Allison	Coker
Alsup	Colson, Mrs.
Anderson	Connelly
Avant	Craig
Bailey	Crossley
Baker	Crosthwait
Bean	Daniel
Bell	Davis
Benton	Deen
Blankenship	Dickson of Bexar
Boone	Dickson of Nolan
Brawner	Donald
Bridgers	Dove
Brown	Duckett
Bullock	Dwyer
Bundy	Ellis
Burkett	Eubank
Burnaman	Evans
Carlton	Favors
Carrington	Ferguson
Cato	Files
Celaya	Fitzgerald
Chambers	Fuchs

Garland	Manning
Gilmer	Markle
Goodman	Martin
Halsey	Matthews
Hanna	Mills
Hardeman	Montgomery
Hargis	Moore
Harris of Dallas	Morgan
Harris of Hill	Morris
Hartzog	Morse
Heflin	Murray
Helpinstill	Nicholson
Henderson	Pace
Hileman	Parker
Hobbs	Pevehouse
Hoyo	Phillips
Huddleston	Price
Huffman	Rampy
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Ridgeway
Isaacks	Roark
Jones	Roberts
Kelly	Rhodes
Kennedy	Sallas
Kersey	Senterfitt
Kinard	Sharpe
King	Shell
Knight	Simpson
Lansberry	Skiles
Lehman	Smith of Bastrop
Leyendecker	Smith of Atascosa
Little	Spacek
Lock	Spangler
Love	Stanford
Lowry	Stinson
Lucas	Stubbs
McAlister	Thornton
McCann	Turner
McDonald	Walters
McGlasson	Wattner
McLellan	Weatherford
McMurry	White
McNamara	Whitesides
Manford	Winfree

Absent

Bray Vale

Absent—Excused

Bruhl	Klingeman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, who are we that Thou shouldst be mindful of us, and

what are our interests that they should concern Thee? Yet it is by Thy blessing that we are privileged to carry on, and before Thee that we work. Wilt Thou strengthen and steady us in all our ways; and in it all and by Thy help may Thy good will be done in us. For Jesus' sake. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Voigt for today on motion of Mr. Skiles.

Mr. Lyle for today on motion of Mr. Celaya.

Mr. Bruhl for today on motion of Mr. White.

Mr. Howard for today on motion of Mr. Stinson.

Mr. Donald temporarily for today on motion of Mr. Lucas.

The following Members were granted leaves of absence on account of illness:

Mr. Howington for today on motion of Mr. Chambers.

Mr. Klingeman for today on motion of Mr. Craig.

Mr. Gandy for today on motion of Mr. Walters.

Mr. Lehman temporarily for today on motion of Mr. McNamara.

BILL RECOMMITTED

Mr. Morgan moved that House Bill No. 421 be recommitted to the Committee on Commerce and Manufactures.

Mr. Morris moved to table the motion by Mr. Morgan.

The motion to table was lost.

Question then recurring on the motion to recommit House Bill No. 421 to the Committee on Commerce and Manufactures, it prevailed.

APPOINTMENT OF COMMITTEE TO INVESTIGATE COST OF FIRE-PROOFING OF STATE CAPITOL

In compliance with Senate Concurrent Resolution No. 27, Providing for the appointment of certain committee to investigate the cost of fire-proofing of State Capitol Building, the Speaker announced the appointment of the following:

Mr. Smith of Bastrop, Mr. Garland and Mr. Hobbs.

MESSAGE FROM THE SENATE

Austin, Texas, March 12, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 271, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning Sept. 1, 1941; etc.; and declaring an emergency." (With amendments.)

In accordance with S. C. R. No. 27, the following committee has been appointed on the part of the Senate:

Senators Brownlee, Winfield and Isbell.

Respectfully,

BOB BARKER,

Secretary of the Senate.

EXTENDING INVITATION TO THE SALESMANSHIP CLUB OF HOUSTON

Mr. Heflin offered the following resolution:

H. S. R. No. 150, Extending Invitation to the Salesmanship Club of Houston to Appear Before the Legislature.

Whereas, A committee from the Salesmanship Club of Houston is coming to Austin to extend an invitation to the Members of the Forty-seventh Legislature to attend their annual Gridiron Dinner; and

Whereas, This is one of the outstanding meetings of the club; now, therefore, be it

Resolved, That the committee be invited to appear before the House on Thursday, March 13th, at such a time as may be selected by the Speaker to extend an invitation to the Membership.

The resolution was read second time and was adopted.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Humphrey offered the following resolution:

H. S. R. No. 151, Extending congratulations of the House of Representatives to the basketball teams who played in Austin in the State Tournament, March 6th and 7th.

Whereas, The annual Interscholastic League basketball tournament for Texas high schools was held in our Capital City, Austin, Texas, March 6th and 7th; and

Whereas, Representative teams from El Paso, Abilene, Jeff Davis of Houston, Waco, Bloomington, San Marcos, Pampa and Mount Vernon came to Austin to represent their respective eight regions; and

Whereas, Each of these teams demonstrated a high type of sportsmanship and cooperative teamwork which showed the results of careful training and excellent coaching; and

Whereas, The student bodies of these respective schools also visited our Capital City and conducted themselves in such a gentlemanly and lady-like fashion so as to bring credit to their schools and communities; and

Whereas, The House of Representatives appreciated the spirit of teamwork and cooperation, as well as the development of good citizenship in all the fine young men and women in our schools in the State of Texas; be it

Resolved, That the House of Representatives extend their congratulations to the coaches, members of the basketball teams, students, and representative citizens who came to Austin during this 1941 High School Basketball Tournament.

HUMPHREY,
CATO,
COKER,
WINFREE,
BEAN,

BRIDGERS,
ALLISON,
ISAACKS,
McNAMARA,
McGLASSON,
DAVIS.

The resolution was read second time and was adopted.

TO EXTEND INVITATION TO THE GOVERNOR OF TEXAS

Mr. Love offered the following resolution:

H. S. R. No. 153, To Extend Invitation to the Governor of Texas.

Be it resolved by the House of Representatives, That we invite the Governor of Texas to come before the House to enlighten the Members of this Session as to his attitude on House Bill No. 8 and House Bill No. 322, and request his immediate presence.

On motion of Mr. Love, the resolution was laid on the table.

RELATIVE TO BURIAL INSURANCE POLICIES FOR OLD-AGE ASSISTANCE RECIPIENTS

Mr. Harris of Hill offered the following resolution:

H. C. R. No. 59, Relative to Burial Insurance Policies for Old-Age Assistance Recipients.

Whereas, It has come to our attention that there are between eight hundred and nine hundred persons removed from the old-age assistance rolls each month because of death; and in most instances the deceased aged person either does not leave any cash reserve, or leaves so little for the purpose of taking care of his funeral and burial expenses; that in many instances it is necessary that the family of the deceased person be burdened with this expense regardless of whether or not they are financially able to do so, or the aged deceased must be buried by the public; and

Whereas, The State of Texas has provided a program of old-age assistance for the aged persons of this State, and the fact that at the present time the old-age assistance program does not make any provision for the cost of burial of the aged, often creates a real hardship on the

families of the aged deceased persons or embarrasses all persons concerned; and because the State old-age assistance program should be adequate to care for its aged citizens during their last sickness and should provide for their burial expenses in a way and on the same basis as the worthy people of the State are entitled.

Therefore be it resolved, That the State Department of Public Welfare be requested to make an investigation and to contact Federal authorities for the purpose of promulgating such reasonable rules and regulations as are necessary for making a monthly allowance in the grants given to old-age assistance recipients for the specific purpose of paying for burial insurance policies; and that the monthly allowances so granted be in such amounts as to insure that the aged persons of this State shall receive the decent and honorable burial to which they are entitled.

HARRIS of Hill,
MURRAY.

The resolution was read second time.

Mr. Hanna raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Kersey moved that the Rules relative to the consideration of resolutions be suspended until the above resolution is disposed of.

The motion to suspend the Rules prevailed.

Mr. Hanna moved that the resolution be referred to the Committee on State Affairs.

Mr. Kersey moved to table the motion to refer.

The motion to table prevailed.

Question then recurring on the resolution by Mr. Harris of Hill, it was adopted.

Mr. Harris of Hill moved to reconsider the vote by which the resolu-

tion was adopted and to table the motion to reconsider.

The motion to table prevailed.

AUTHORIZING THE LOAN OF CERTAIN HIGHWAY EQUIPMENT

The Speaker laid before the House, for consideration at this time, the following resolution.

S. C. R. No. 26, Authorizing the Loan of Certain Highway Equipment.

Whereas, The State Highway Department of Texas has a large quantity of discarded wire mesh guard fence in its various warehouses; and

Whereas, The Texas State Parks Board is trying to preserve a large Prairie Dog Colony in Mackenzie State Park for public benefit since prairie dogs are rapidly being exterminated under a government poisoning program; and

Whereas, It is deemed necessary to fence the entire colony to protect it from public intrusion and damage to plantings; and

Whereas, It will be a great accommodation to the State Parks Board if said Highway Department permits said State Parks Board the use of the discarded wire mesh guard fence hereinabove mentioned for the purpose of fencing the grounds of one of the last large Prairie Dog Colonies; now, therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That the State Highway Department of Texas be authorized to loan to the Texas State Parks Board seven thousand (7,000) feet of the discarded wire mesh guard fence hereinabove mentioned for the purpose as hereinabove set out, said State Parks Board to return such wire upon request of the State Highway Department, and it is so resolved.

The resolution was read second time and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 28, To Grant Arol Kerley and W. E. Pendergrass Permission to Sue the State.

Whereas, On or about the 21st day of September, 1940, Arol Kerley and W. E. Pendergrass of Harrison County, Texas, were travelling in an automobile on the Wright City-Henderson Highway, and while travelling on said highway, another automobile belonging to the Railroad Commission of the State of Texas, or to the State of Texas, and operated or caused to be operated by said Railroad Commission or the State of Texas, collided with the automobile in which Arol Kerley and W. E. Pendergrass were riding, and as a result of said collision Arol Kerley and W. E. Pendergrass suffered personal injuries, and also damage to them and to said automobile; and

Whereas, The said Arol Kerley and W. E. Pendergrass claim that the State of Texas or the Railroad Commission is due them damages sustained as a result of the collision aforesaid. However, it is to be understood that the purpose of this resolution is to grant permission to said Arol Kerley and W. E. Pendergrass to bring suit against the State of Texas, and no admission of liability of the State is made by this resolution and the facts as set out herein must be proved in court; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the said Arol Kerley and W. E. Pendergrass be, and they are hereby granted permission to sue the State of Texas for damages for the loss they claim to have sustained by reason of the collision as aforesaid, and that such suit may be filed and instituted in the District Court of Rusk County, Texas; and that such suit shall be tried and determined in the trial and appellate courts of this State, according to the rules of law and procedure, as to liability and defenses, as if such were against an individual; and that it is hereby provided that if such suit be instituted under the provisions of this resolution, service of process shall issue according to the rules of law governing such process in civil cases.

The resolution was read second time and was referred by the Speaker to the Committee on State Affairs.

INVITING HONORABLE WENDELL L. WILLKIE TO ADDRESS A JOINT SESSION OF THE LEGISLATURE

The Speaker laid before the House, as unfinished business, H. C. R. No. 57, by Mr. Benton, Inviting Honorable Wendell L. Willkie to address a Joint Session of the Legislature.

The resolution having heretofore been read second time.

Mr. Benton offered the following amendment to the resolution:

Amend H. C. R. No. 57 by inserting in lieu thereof the following:

Whereas, April 21, 1941, is the 105th anniversary of the Battle of San Jacinto, where free men died to save Texas from the tyranny of religious oppression and the rule of despotism; and

Whereas, A fitting celebration of that day would be a rededication of ourselves to the preservation of liberty and freedom, the foundation of our government; and

Whereas, The international situation is daily becoming more serious, and more of a menace to American ideals and the freedom of our people; and we are daily confronted with conditions never before experienced in this country; and

Whereas, There is an ever increasing need that Americans inform themselves as to all the true facts of conditions both at home and abroad; and

Whereas, The Honorable Wendell L. Willkie has put aside party lines and partisan ideas to make a study of the world situation, and is bending every effort to cooperate with President Roosevelt to the end that the United States may do its share in helping to defeat dictatorships and totalitarian governments; now therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Honorable Wendell L. Willkie be invited to address a joint session of the Texas Legislature on April 21st, at 11 o'clock a. m. on the subject of the crisis confronting our people, in the light of information he secured first hand on his recent trip abroad; and be it further

Resolved, That the Chief Clerk of the House send a copy of this Resolution to Mr. Willkie and make the necessary preparations for his accepting the invitation herein expressed.

BENTON,
HEFLIN.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Evans, Ellis, Eubank, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thronton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Winfree.

The amendment by Mr. Benton was adopted.

By unanimous consent of the House, on motion of Mr. Heflin, the resolution was amended so as to fix the time for the address at the convenience of Honorable Wendell L. Willkie.

On the motion of Mr. Anderson, the names of all the Members of the

House were added to the resolution as signers thereof.

The resolution was adopted by the following vote:

Yeas—118

Allen	Hutchinson
Allison	Isaacks
Alsup	Jones
Anderson	Kelly
Avant	Kennedy
Bailey	Kersey
Baker	Knight
Bean	Lansberry
Bell	Lehman
Benton	Leyendecker
Blankenship	Little
Brawner	Lock
Brown	Love
Bullock	Lucas
Bundy	McAlister
Carlton	McCann
Carrington	McDonald
Cato	McGlasson
Celaya	McLellan
Chambers	McMurry
Clark	McNamara
Cleveland	Manford
Coker	Manning
Colson, Mrs.	Markle
Connelly	Martin
Craig	Matthews
Crossley	Mills
Crosthwait	Montgomery
Daniel	Moore
Davis	Morris
Deen	Morse
Dickson of Bexar	Murray
Dove	Nicholson
Duckett	Pace
Dwyer	Parker
Ellis	Pevehouse
Eubank	Phillips
Ferguson	Price
Files	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Roark
Hargis	Roberts
Harris of Hill	Rhodes
Hartzog	Sallas
Heflin	Senterfitt
Helpinstill	Sharpe
Henderson	Shell
Hobbs	Simpson
Hoyo	Skiles
Huddleston	Smith of Bastrop
Huffman	Smith of Atascosa
Hughes	Spacek
Humphrey	Spangler

Stinson	Weatherford
Stubbs	White
Turner	Whitesides
Wattner	Winfree

Nays—2

Fitzgerald	King
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Present—Not Voting

Garland	Hileman
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Absent

Boone	Gilmer
Bray	Harris of Dallas
Bridgers	Kinard
Burkett	Lowry
Burnaman	Morgan
Dickson of Nolan	Stanford
Evans	Thornton
Favors	Vale
Fuchs	Walters

Absent—Excused

Bruhl	Klingeman
Donald	Lyle
Gandy	Taylor
Howard	Voigt
Howington	

HOUSE BILL NO. 271 WITH SENATE AMENDMENTS

Mr. Reed of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 271, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1941, and ending August 31, 1943; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion; and declaring an emergency."

Mr. Reed of Dallas moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

SENATE BILL NO. 38 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 38, A bill to be entitled "An Act to provide further safeguards for public educational funds; and declaring an emergency."

The bill was read second time.

Mr. Hughes offered the following amendments to the bill:

Amend Senate Bill No. 38, Section 1, line 12, of the original bill by striking out the words "person's approval of our public educational system," and substituting in lieu thereof the words, "person's approval of a system of free public education."

Amend Senate Bill No. 38, Section 3, beginning with line 4, of the original bill, which reads, "expounding doctrines to his students which are in any way inimical to the Constitution and Laws of the United States or of the State of Texas," and substituting in lieu thereof the words, "openly advocating doctrines which seek to undermine or overthrow by force or violence the republican and democratic forms of governments in the United States, or which in any way seek to establish a government that does not rest upon the fundamental principle of the consent of the governed."

The amendments were severally adopted.

Mr. Isaacks offered the following amendments to the bill:

Amend Senate Bill No. 38 by striking out all after the word "have" in line 36, Section 1, page 1, and inserting in lieu thereof the following:

"taken the oath of office required to be taken by Members of the Legislature and all other officers, as provided in Article XVI, Section 1, as amended by amendment adopted November 8, 1938."

Amend Senate Bill No. 38 by striking out Sections 2, 3 and 4 of said bill, being all after the fourth line of page 2 in said printed bill.

The amendments were severally adopted.

Mr. Heflin offered the following amendment to the bill:

Amend Senate Bill No. 38 by inserting after the word "other" in line 38 of Section 1, the following words "tax supported."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 38 was then passed to third reading.

MOTION TO PLACE SENATE BILL NO. 38 ON THIRD READING

Mr. Weatherford moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 38 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—95

Allen	Duckett
Allison	Dwyer
Anderson	Evans
Avant	Favors
Baker	Ferguson
Bell	Fuchs
Benton	Garland
Boone	Gilmer
Browner	Halsey
Brown	Hardeman
Bullock	Hargis
Burkett	Harris of Dallas
Burnaman	Hartzog
Carlton	Heflin
Carrington	Henderson
Cato	Hoyo
Clark	Huddleston
Cleveland	Hughes
Coker	Hutchinson
Connelly	Isaacks
Crossley	Kelly
Crosthwait	Kennedy
Daniel	Kersey
Davis	King
Deen	Knight
Dickson of Bexar	Lansberry
Dove	Lehman

Leyendecker
Little
Love
Lowry
Lucas
McMurry
McNamara
Manford
Manning
Markle
Mills
Montgomery
Morgan
Morris
Morse
Murray
Nicholson
Pace
Parker
Pevehouse
Reed of Bowie

Reed of Dallas
Ridgeway
Roark
Rhodes
Sallas
Senterfitt
Shell
Simpson
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Turner
Walters
Weatherford
White
Whitesides
Winfree

Nays—29

Alsup	Hobbs
Bailey	Huffman
Bean	Jones
Blankenship	Lock
Bridgers	McAlister
Chambers	McCann
Craig	McLellan
Ellis	Matthews
Eubank	Price
Files	Rampy
Fitzgerald	Roberts
Hanna	Skiles
Harris of Hill	Thornton
Helpinstill	Wattner
Hileman	

Absent

Bray	McDonald
Bundy	McGlasson
Celaya	Martin
Colson, Mrs.	Moore
Dickson of Nolan	Phillips
Goodman	Sharpe
Humphrey	Smith of Bastrop
Kinard	Vale

Absent—Excused

Bruhl	Klingeman
Donald	Lyle
Gandy	Taylor
Howard	Voigt
Howington	

SENATE BILL NO. 154 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 154, A bill to be entitled "An Act amending Section 13, Chapter 465, General and Special Laws, 44th Legislature, Second Called Session, and providing the effective date of this Act to be January 1, 1943."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 154 ON
THIRD READING

Mr. Kersey moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 154 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allen	Fuchs
Allison	Garland
Alsup	Gilmer
Anderson	Goodman
Avant	Halsey
Bailey	Hanna
Bean	Hardeman
Bell	Hargis
Benton	Hartzog
Blankenship	Heflin
Brawner	Helpinstill
Brown	Henderson
Bullock	Hileman
Bundy	Hobbs
Burkett	Hoyo
Burnaman	Huddleston
Carrington	Huffman
Cato	Hughes
Celaya	Humphrey
Chambers	Hutchinson
Clark	Isaacks
Cleveland	Jones
Coker	Kelly
Colson, Mrs.	Kennedy
Connelly	Kersey
Craig	Kinard
Crossley	King
Crosthwait	Knight
Daniel	Lansberry
Davis	Lehman
Deen	Leyendecker
Dove	Little
Duckett	Lock
Dwyer	Love
Ellis	Lucas
Eubank	McAlister
Favors	McCann
Ferguson	McDonald
Fitzgerald	McGlasson

McLellan	Rhodes
McMurry	Sallas
McNamara	Senterfitt
Manning	Sharpe
Markle	Shell
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Atascosa
Morgan	Spacek
Morse	Spangler
Murray	Stanford
Nicholson	Stinson
Pace	Stubbs
Parker	Thornton
Pevehouse	Turner
Phillips	Walters
Price	Wattner
Reed of Bowie	Weatherford
Reed of Dallas	White
Ridgeway	Whitesides
Roark	Winfree
Roberts	

Absent

Baker	Harris of Hill
Boone	Lowry
Bray	Manford
Bridgers	Martin
Carlton	Moore
Dickson of Bexar	Morris
Dickson of Nolan	Rampy
Evans	Smith of Bastrop
Files	Vale
Harris of Dallas	

Absent—Excused

Bruhl	Klingeman
Donald	Lyle
Gandy	Taylor
Howard	Voigt
Howington	

The Speaker then laid Senate Bill No. 154 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—126

Allen	Brawner
Allison	Bridgers
Alsup	Brown
Anderson	Bullock
Avant	Bundy
Bailey	Burkett
Baker	Burnaman
Bean	Carlton
Bell	Carrington
Benton	Cato
Blankenship	Celaya
Boone	Chambers

Clark	McAlister
Cleveland	McCann
Coker	McDonald
Colson, Mrs.	McGlasson
Connelly	McLellan
Craig	McMurry
Crossley	McNamara
Crosthwait	Manford
Daniel	Manning
Davis	Markle
Deen	Matthews
Dove	Mills
Duckett	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Morse
Favors	Murray
Ferguson	Nicholson
Files	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Garland	Phillips
Gilmer	Price
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hargis	Ridgeway
Helpinstill	Roark
Henderson	Roberts
Hileman	Rhodes
Hobbs	Sallas
Hoyo	Senterfitt
Huddleston	Sharpe
Huffman	Shell
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Kennedy	Spangler
Kersey	Stanford
Kinard	Stinson
King	Stubbs
Knight	Thornton
Lansberry	Turner
Lehman	Walters
Leyendecker	Wattner
Little	Weatherford
Lock	White
Love	Whitesides
Lucas	Winfree

Absent

Bray	Hartzog
Dickson of Bexar	Heflin
Dickson of Nolan	Isaacks
Goodman	Lowry
Hardeman	Martin
Harris of Dallas	Rampy
Harris of Hill	Vale

Absent—Excused

Bruhl	Klingeman
Donald	Lyle
Gandy	Taylor
Howard	Voigt
Howington	

(Mr. Blankenship in the Chair.)

SENATE BILL NO. 221 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 221, A bill to be entitled "An Act authorizing the issuance of bonds by the Commissioners' Court of Limestone County after same shall have been authorized by a majority vote of the qualified property taxpaying voters of said County voting at an election called for the purpose, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 221 ON
THIRD READING

Mr. Dove moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 221 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Allen	Carrington
Allison	Cato
Alsup	Celaya
Anderson	Chambers
Avant	Clark
Bailey	Cleveland
Bean	Coker
Bell	Colson, Mrs.
Benton	Connelly
Blankenship	Craig
Boone	Crossley
Brawner	Daniel
Bridgers	Davis
Brown	Deen
Bullock	Dove
Bundy	Duckett
Burnaman	Dwyer
Carlton	Ellis

Eubank	Manning
Evans	Markle
Favors	Martin
Ferguson	Matthews
Fitzgerald	Mills
Gilmer	Moore
Goodman	Morgan
Halsey	Morse
Hanna	Murray
Hardeman	Nicholson
Hargis	Pace
Harris of Dallas	Parker
Hartzog	Pevehouse
Heflin	Phillips
Helpinstill	Price
Henderson	Rampy
Hileman	Reed of Bowie
Hobbs	Reed of Dallas
Huddleston	Ridgeway
Huffman	Roark
Hughes	Roberts
Humphrey	Rhodes
Isaacks	Senterfitt
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
Kinard	Smith of Bastrop
Knight	Smith of Atascosa
Lansberry	Spacek
Lehman	Spangler
Leyendecker	Stanford
Little	Stubbs
Lock	Thornton
Love	Turner
Lowry	Walters
Lucas	Wattner
McCann	Weatherford
McDonald	White
McGlasson	Whitesides
McMurry	Winfree
McNamara	

Present—Not Voting

McLellan

Absent

Baker	Hutchinson
Bray	Kersey
Burkett	King
Crosthwait	McAlister
Dickson of Bexar	Manford
Dickson of Nolan	Montgomery
Files	Morris
Fuchs	Sallas
Garland	Sharpe
Harris of Hill	Stinson
Hoyo	Vale

Absent—Excused

Bruhl

Donald

Gandy	Lyle
Howard	Taylor
Howington	Voigt
Klingeman	

The Chair then laid Senate Bill No. 221 before the House on third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 86 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as special order, on passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the 44th Legislature, Third Called Sessoin, 1936, page 1993, as amended by Acts of the 45th Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the 46th Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act, providing additional definitions of the term 'employment,' providing for certain exceptions so that the term 'employment' will not include services performed in any calendar quarter by one in the employ of any organization exempt from the payment of income tax under Section 101 of the Internal Revenue Code, providing that the term 'employment' shall not include services performed by an individual as an insurance agent or as an insurance solicitor if such service is performed for remuneration solely by way of commission, providing that, if any portion of this Act shall be declared unconstitutional and invalid, the remainder shall not be affected thereby, and, further, declaring an emergency."

The bill having heretofore been read second time.

Mr. Anderson moved that House Bill No. 86 be set for special order at 10:00 o'clock a. m. next Tuesday, March 18.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—60

Allen	Hutchinson
Alsup	Kinard
Anderson	King
Avant	Lansberry
Bailey	Lock
Bell	Lucas
Bridgers	McDonald
Burkett	McMurry
Burnaman	Manning
Carlton	Morgan
Carrington	Morris
Colson, Mrs.	Morse
Crosthwait	Nicholson
Daniel	Pace
Dickson of Bexar	Pevehouse
Duckett	Ridgeway
Dwyer	Roark
Ellis	Roberts
Ferguson	Senterfitt
Garland	Sharpe
Gilmer	Shell
Goodman	Skiles
Hanna	Smith of Atascosa
Hargis	Spacek
Harris of Dallas	Stanford
Harris of Hill	Stinson
Helpinstill	Turner
Hobbs	Weatherford
Hoyo	Whitesides
Huddleston	Winfree

Nays—50

Allison	Humphrey
Baker	Jones
Bean	Kennedy
Benton	Knight
Brawner	Leyendecker
Brown	Love
Bullock	Lowry
Cato	McCann
Clark	McGlasson
Coker	McLellan
Connelly	McNamara
Craig	Markle
Crossley	Matthews
Davis	Mills
Deen	Murray
Eubank	Parker
Favors	Phillips
Fitzgerald	Price
Fuchs	Rampy
Halsey	Reed of Bowie
Hardeman	Reed of Dallas
Heflin	Rhodes
Henderson	Sallas
Hileman	Simpson
Huffman	Wattner

Present—Not Voting

Smith of Bastrop

Absent

Boone	Kersey
Bray	Little
Bundy	McAlister
Celaya	Manford
Chambers	Martin
Cleveland	Montgomery
Dickson of Nolan	Moore
Dove	Spangler
Evans	Stubbs
Files	Thornton
Hartzog	Vale
Hughes	Walters
Isaacks	White
Kelly	

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

(Speaker in the Chair.)

Mr. Clark moved that House Bill No. 86 be recommitted to the Committee on Insurance.

Mr. Anderson moved to table the motion to recommit.

The motion to table was lost.

Mr. Anderson moved that further consideration of House Bill No. 86 be postponed until 10:00 o'clock a. m. next Tuesday.

The motion to postpone was lost.

Mr. Anderson moved as a substitute motion that House Bill No. 86 be recommitted to the Committee on State Affairs.

Mr. Clark moved to table the substitute motion by Mr. Anderson.

The motion to table prevailed.

Mr. Anderson moved as a substitute motion that House Bill No. 86 be recommitted to the Committee on Revenue and Taxation.

Mr. Clark moved to table the substitute motion by Mr. Anderson.

The motion to table prevailed.

Question then recurring on the motion by Mr. Clark to recommit House Bill No. 86 to the Committee on Insurance, it prevailed.

Mr. Clark moved to reconsider the vote by which the bill was recommitted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Anderson moved that the Committee on Insurance be instructed to report House Bill No. 86 not later than two weeks from today.

The motion prevailed by the following vote:

Yeas—95

Allen	Kennedy
Allison	Lansberry
Alsup	Leyendecker
Anderson	Little
Bailey	Lock
Bell	Lowry
Benton	Lucas
Boone	McAlister
Brawner	McCann
Bridgers	McDonald
Bullock	McGlasson
Burkett	McLellan
Burnaman	McMurry
Carlton	McNamara
Carrington	Manford
Cato	Manning
Coker	Markle
Connelly	Martin
Crosthwait	Matthews
Daniel	Mills
Davis	Montgomery
Deen	Moore
Dickson of Bexar	Morgan
Duckett	Morris
Dwyer	Morse
Ellis	Nicholson
Evans	Pace
Ferguson	Parker
Files	Pevehouse
Fuchs	Price
Garland	Rampy
Gilmer	Reed of Dallas
Halsey	Ridgeway
Hargis	Roark
Harris of Dallas	Roberts
Heflin	Senterfitt
Helpinstill	Shell
Henderson	Skiles
Hobbs	Smith of Bastrop
Hoyo	Smith of Atascosa
Huddleston	Spacek
Huffman	Stanford
Humphrey	Stubbs
Hutchinson	Turner
Isaacks	Wattner
Kelly	Weatherford

White
Whitesides

Winfree

Nays—22

Bean	Jones
Blankenship	Kersey
Brown	Kinard
Clark	King
Cleveland	Knight
Craig	Love
Crossley	Murray
Eubank	Reed of Bowie
Favors	Rhodes
Fitzgerald	Sharpe
Hileman	Simpson

Absent

Avant	Hardeman
Baker	Harris of Hill
Bray	Hartzog
Bundy	Hughes
Celaya	Phillips
Chambers	Sallas
Colson, Mrs.	Spangler
Dickson of Nolan	Stinson
Dove	Thornton
Goodman	Vale
Hanna	Walters

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

NAMING AMON G. CARTER AM- BASSADOR OF GOOD WILL FOR THE STATE

Mr. Simpson offered the following resolution:

H. S. R. No. 154, Naming Amon G. Carter Ambassador of Good Will for the State of Texas.

Whereas, The State of Texas has an outstanding citizen in the Honorable Amon G. Carter; and

Whereas, The Honorable Amon G. Carter has always demonstrated an interest in the development of Texas, and has given unselfishly of his time, energy, and money to accomplish this purpose; and

Whereas, Amon G. Carter has traveled over many States of the United States telling the people of the various States the many advantages that the State of Texas has to offer; and

Whereas, The Honorable Amon G. Carter is willing at all times to sacrifice his own pleasure and business in order to help some worthy cause of Texas; now, therefore, be it

Resolved, by the House of Representatives of the Forty-seventh Legislature of the State of Texas, That the Honorable Amon G. Carter, because of his fine work in spreading good will for the great State of Texas and the people therein, be and he is hereby appointed Ambassador of Good Will for the State of Texas; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send a copy of this resolution to the Honorable Amon G. Carter congratulating him upon his appointment as Ambassador of Good Will for the State of Texas.

SIMPSON,
McALISTER,
BOONE,
LOVE,
GOODMAN.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crotshaw, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Lowry, Lucas, Lyle, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Ram-

py, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Eubank, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

HOUSE BILL NO. 374 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 374, A bill to be entitled "An Act to amend Chapter 57 of the Acts of the Forty-first Legislature of Texas, Regular Session, as amended by Chapter 200 of the Acts of the Forty-fifth Legislature of Texas, Regular Session, by amending Section 12 and 13b thereof so as to provide for the funding of scrip and warrant indebtedness of the Road and Bridge Fund of Montgomery County, Texas, legally incurred prior to February 1, 1941; and validating, ratifying, legalizing, and confirming an issue of Sixty-six Thousand Dollars (\$66,000.00) of road and bridge time warrants of said county, dated February 1, 1941, and authorizing the funding thereof into coupon bonds of said county, in accordance with the terms and provisions of this Act; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 374 ON THIRD READING

Mrs. Colson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 374 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allen	Huffman
Allison	Hughes
Alsup	Humphrey
Anderson	Hutchinson
Avant	Isaacks
Bailey	Jones
Baker	Kennedy
Bean	Kersey
Bell	Kinard
Benton	King
Blankenship	Lansberry
Brawner	Leyendecker
Bridgers	Little
Brown	Lock
Bullock	Love
Bundy	Lowry
Burkett	Lucas
Burnaman	McAlister
Carlton	McCann
Carrington	McDonald
Cato	McGlasson
Celaya	McLellan
Chambers	McMurry
Clark	McNamara
Cleveland	Manford
Coker	Markle
Colson, Mrs.	Martin
Connelly	Matthews
Craig	Mills
Crossley	Montgomery
Crosthwait	Moore
Daniel	Morgan
Davis	Morris
Deen	Morse
Duckett	Murray
Dwyer	Pace
Ellis	Parker
Eubank	Pevehouse
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Roark
Garland	Roberts
Gilmer	Rhodes
Goodman	Sallas
Hanna	Senterfitt
Hardeman	Sharpe
Hargis	Shell
Heflin	Simpson
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Hoyo	Spangler
Huddleston	Stanford

Stinson	Wattner
Stubbs	Weatherford
Thornton	White
Turner	Whitesides
Walters	Winfree

Absent

Boone	Hartzog
Bray	Kelly
Dickson of Bexar	Knight
Dickson of Nolan	Manning
Dove	Nicholson
Halsey	Phillips
Harris of Dallas	Vale
Harris of Hill	

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

The Speaker then laid House Bill No. 374 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—124

Allen	Craig
Allison	Crossley
Alsup	Crosthwait
Anderson	Daniel
Avant	Davis
Bailey	Deen
Baker	Duckett
Bean	Dwyer
Bell	Ellis
Benton	Eubank
Blankenship	Evans
Brawner	Favors
Bridgers	Ferguson
Brown	Files
Bullock	Fitzgerald
Bundy	Fuchs
Burkett	Garland
Burnaman	Gilmer
Carlton	Goodman
Carrington	Hanna
Cato	Hardeman
Celaya	Hargis
Chambers	Heflin
Clark	Helpinstill
Cleveland	Henderson
Coker	Hileman
Colson, Mrs.	Hobbs
Connelly	Hoyo

Huddleston	Morse
Huffman	Murray
Hughes	Pace
Humphrey	Parker
Hutchinson	Pevehouse
Isaacks	Price
Jones	Rampy
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Kinard	Ridgeway
King	Roark
Lansberry	Roberts
Leyendecker	Rhodes
Little	Sallas
Lock	Senterfitt
Love	Sharpe
Lowry	Shell
Lucas	Simpson
McAlister	Skiles
McCann	Smith of Bastrop
McDonald	Smith of Atascosa
McGlasson	Spacek
McLellan	Spangler
McMurry	Stanford
McNamara	Stinson
Manford	Stubbs
Markle	Thornton
Martin	Turner
Matthews	Walters
Mills	Wattner
Montgomery	Weatherford
Moore	White
Morgan	Whitesides
Morris	Winfree

Absent

Boone	Hartzog
Bray	Kelly
Dickson of Bexar	Knight
Dickson of Nolan	Manning
Dove	Nicholson
Halsey	Phillips
Harris of Dallas	Vale
Harris of Hill	

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

HOUSE BILL NO. 513 ON SECOND
READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 513, A bill to be entitled "An Act creating a special road law

for Camp County, Texas; authorizing the Commissioners' Court to issue funding bonds or warrants in lieu of certain scrip warrants, and validating such scrip; providing the method of issuing the same; making it the duty of the Commissioners' Court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable to Camp County, Texas, and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time.

Mr. Baker offered the following committee amendments to the bill:

Amend Section 1 by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. The Commissioners Court of Camp County, Texas, is hereby authorized to issue funding bonds or funding warrants in an amount not to exceed Twenty-five Thousand (\$25,000.00) Dollars for the purpose of funding any scrip warrants issued against the Road and Bridge Fund of said county, and outstanding at the time this Act becomes effective and all such scrip warrants are hereby validated. Such funding bonds or warrants may be issued by the Commissioners Court of Camp County in compliance with the provisions of the bond and warrant law of 1931, and amendments thereto."

McLELLAN.

Amend Section 2 by striking out all of Section 2 and inserting in lieu thereof the following:

"Sec. 2. Such funding bonds or funding warrants shall mature serially or otherwise in not to exceed forty (40) years and shall not bear a greater rate of interest than five (5%) per cent per annum, payable annually or semi-annually."

McLELLAN.

The committee amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 513 was then passed to engrossment.

HOUSE BILL NO. 513 ON THIRD READING

Mr. Baker moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 513 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allen	Halsey
Allison	Hanna
Alsup	Hardeman
Avant	Hargis
Bailey	Heflin
Baker	Helpinstill
Bell	Henderson
Benton	Hileman
Blankenship	Hobbs
Boone	Hoyo
Brawner	Huddleston
Bridgers	Huffman
Brown	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burkett	Isaacks
Carrington	Jones
Cato	Kelly
Chambers	Kennedy
Clark	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Knight
Craig	Lansberry
Crossley	Leyendecker
Crosthwait	Little
Daniel	Lock
Davis	Love
Deen	Lowry
Duckett	Lucas
Ellis	McAlister
Eubank	McCann
Evans	McDonald
Favors	McGlasson
Ferguson	McLellan
Fitzgerald	McMurry
Fuchs	McNamara
Garland	Manning
Gilmer	Markle
Goodman	Martin

Matthews
Mills
Montgomery
Moore
Morgan
Morris
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Rhodes
Sallas

Senterfitt
Sharpe
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Thornton
Turner
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Anderson	Dove
Bean	Dwyer
Bray	Files
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Celaya	Hartzog
Cleveland	Manford
Dickson of Bexar	Nicholson
Dickson of Nolan	Vale

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

The Speaker then laid House Bill No. 513 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—121

Allen	Bullock
Allison	Bundy
Alsup	Burkett
Avant	Carrington
Bailey	Cato
Baker	Chambers
Bell	Clark
Benton	Coker
Blankenship	Colson, Mrs.
Boone	Connelly
Brawner	Craig
Bridgers	Crossley
Brown	Crosthwait

Daniel	McLellan
Davis	McMurry
Deen	McNamara
Duckett	Manning
Ellis	Markle
Eubank	Martin
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Fitzgerald	Moore
Fuchs	Morgan
Garland	Morris
Gilmer	Morse
Goodman	Murray
Halsey	Pace
Hanna	Parker
Hardeman	Pevehouse
Hargis	Phillips
Heflin	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Hoyo	Roark
Huddleston	Roberts
Huffman	Rhodes
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Isaacks	Shell
Jones	Simpson
Kelly	Skiles
Kennedy	Smith of Bastrop
Kersey	Smith of Atascosa
Kinard	Spacek
King	Spangler
Knight	Stanford
Lansberry	Stinson
Leyendecker	Stubbs
Little	Thornton
Lock	Turner
Love	Walters
Lowry	Wattner
Lucas	Weatherford
McAlister	White
McCann	Whitesides
McDonald	Winfree
McGlasson	

Absent

Anderson	Dove
Bean	Dwyer
Bray	Files
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Celaya	Hartzog
Cleveland	Manford
Dickson of Bexar	Nicholson
Dickson of Nolan	Vale

Absent—Excused

Bruhl	Gandy
Donald	Howard

Howington	Lyle
Klingeman	Taylor
Lehman	Voigt

HOUSE BILL NO. 418 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 418, A bill to be entitled "An Act providing that in counties having a population of Fifty-one Thousand (51,000) to Fifty-one Thousand and One Hundred (51,100), inclusive, the Commissioners' Court shall annually set aside from all other county funds the Road and Bridge Fund, which fund shall be budgeted into three (3) equal amounts and providing that the expenditures from said fund for any four-month period of the fiscal year may not exceed one-third (1/3) of the total annual budget; provided that nothing in this Act shall be construed as repealing or affecting the Uniform Budget Law, County Budgets, Articles 689a-9, 10, 11 and 12; and declaring an emergency."

The bill was read second time.

Mr. Ferguson offered the following amendment to the bill:

"Amend H. B. No. 418 by striking out in Section 1, lines 19 and 20, the words and figures 51,000 and inserting in lieu thereof 50,950."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 418 was then passed to engrossment.

HOUSE BILL NO. 418 ON THIRD READING

Mr. Ferguson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 418 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123	
Allen	Jones
Allison	Kelly
Alsup	Kennedy
Anderson	Kersey
Avant	King
Bailey	Knight
Baker	Lansberry
Bean	Leyendecker
Bell	Little
Benton	Lock
Blankenship	Love
Boone	Lowry
Brawner	Lucas
Bridgers	McAlister
Brown	McCann
Bullock	McGlasson
Burkett	McLellan
Carrington	McNamara
Cato	McMurry
Chambers	Manford
Clark	Manning
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Matthews
Connelly	Mills
Craig	Montgomery
Crossley	Moore
Crosthwait	Morgan
Daniel	Morris
Davis	Morse
Deen	Murray
Duckett	Pace
Dwyer	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Roark
Garland	Roberts
Gilmer	Rhodes
Halsey	Sallas
Hanna	Senterfitt
Hardeman	Sharpe
Hargis	Shell
Harris of Dallas	Simpson
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Spangler
Hoyo	Stanford
Huddleston	Stinson
Huffman	Stubbs
Hughes	Turner
Humphrey	Walters
Hutchinson	Wattner
Isaacks	Weatherford

White	Winfree
Whitesides	Absent
Bray	Goodman
Bundy	Harris of Hill
Burnaman	Hartzog
Carlton	Kinard
Celaya	McDonald
Dickson of Bexar	Nicholson
Dickson of Nolan	Thornton
Dove	Vale
Absent—Excused	
Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

The Speaker then laid House Bill No. 418 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123	
Allen	Ellis
Allison	Eubank
Alsup	Evans
Anderson	Favors
Avant	Ferguson
Bailey	Files
Baker	Fitzgerald
Bean	Fuchs
Bell	Garland
Benton	Gilmer
Blankenship	Halsey
Boone	Hanna
Brawner	Hardeman
Bridgers	Hargis
Brown	Harris of Dallas
Bullock	Heflin
Burkett	Helpinstill
Carrington	Henderson
Cato	Hileman
Chambers	Hobbs
Clark	Hoyo
Cleveland	Huddleston
Coker	Huffman
Colson, Mrs.	Hughes
Connelly	Humphrey
Craig	Hutchinson
Crossley	Isaacks
Crosthwait	Jones
Daniel	Kelly
Davis	Kennedy
Deen	Kersey
Duckett	King
Dwyer	Knight

Lansberry	Price
Leyendecker	Rampy
Little	Reed of Bowie
Lock	Reed of Dallas
Love	Ridgeway
Lowry	Roark
Lucas	Roberts
McAlister	Rhodes
McCann	Sallas
McGlasson	Senterfitt
McLellan	Sharpe
McNamara	Shell
McMurry	Simpson
Manford	Skiles
Manning	Smith of Bastrop
Markle	Smith of Atascosa
Martin	Spacek
Matthews	Spangler
Mills	Stanford
Montgomery	Stinson
Moore	Stubbs
Morgan	Turner
Morris	Walters
Morse	Wattner
Murray	Weatherford
Pace	White
Parker	Whitesides
Pevehouse	Winfree
Phillips	

Absent

Bray	Goodman
Bundy	Harris of Hill
Burnaman	Hartzog
Carlton	Kinard
Celaya	McDonald
Dickson of Bexar	Nicholson
Dickson of Nolan	Thornton
Dove	Vale

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

RELATIVE TO HOUSE JOINT
RESOLUTION NO. 7

Mr. Ridgeway and Mr. Hoyo were granted unanimous consent of the House to withdraw their names from House Joint Resolution No. 7.

RELATIVE TO HOUSE BILLS
NOS. 503 AND 504

On motion of Mr. McCann, by unanimous consent of the House, the captions of House Bills Nos. 503 and 504 were ordered amended to con-

form to all changes and with the bodies of the bills.

ADDITIONAL SIGNERS OF BILL
AND RESOLUTIONS

By unanimous consent of the House, the following Members were authorized to sign bill and resolution as co-authors of same, as follows:

Mr. Hileman: H. J. R. No. 4.

Mr. Skiles: H. B. No. 701.

MESSAGE FROM THE SENATE

Austin, Texas, March 12, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 41, Memorializing the Congress of the United States in reference to gasoline taxes.

H. C. R. No. 45, Authorizing C. O. Kieffer to sue the State.

Passed

H. B. No. 208, A bill to be entitled "An Act providing for the execution of an agreement to extend the Interstate Compact to Conserve Oil and Gas; etc., and declaring an emergency."

H. B. No. 482, A bill to be entitled "An Act validating certain bonds heretofore authorized to be issued under the authority of Chapter 83 of the Acts of the First Called Session of the Forty-first Legislature; etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILL AND RESOLUTION SIGNED
BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolution:

H. C. R. No. 38, Granting William W. Shuff and Mrs. Surrilda W. Shuff permission to sue the State.

H. B. No. 482, "An Act validating certain bonds heretofore authorized to be issued under the authority of Chapter 83 of the Acts of the First

Called Session of the Forty-first Legislature in reference to acquisition of lands by cities and counties for airport purposes, and declaring an emergency."

ADDRESS OF HON. G. C. MORRIS

On motion of Mr. Hartzog, the following address by the Hon. G. C. Morris was ordered printed in Journal:

Address to 47th Legislature
By Honorable G. C. Morris,
March 10th, 1941.

All of you know that it is written into our State Constitution in plain and unmistakable terms that the functions of our government shall be divided among three branches: namely, that which is legislative to the Legislature; that which is executive to the Executive; and that which is judicial to the Judiciary. Those forefathers of ours wisely wrote that provision into our Constitution. I want you to remember what the Governor of Louisiana said to you a few days ago, "that the Texas Legislature has always been recognized as the most independent parliamentary body in the world." I hope that this Legislature can remain true to that reputation. In this day when the whole globe is dotted with such bodies who have lost their freedom, it is imperative that we be on guard.

I am not mad at the Governor of this State. I came to this Legislature this time determined as best I knew how to help him make this State a great Governor. I want him simply to let you and me vote our honest and sincere convictions. I submit to the ladies and gentlemen of this House that the proposed amendment by the gentleman from Milam comes in bad faith. This House has refused time and time again to consider the Governor's proposal to take twenty-six million dollars out of a General Fund that already has a twenty-five million dollar deficit. This House has evidenced its desire to finance this State's obligation by means of a tax bill. This proposed amendment is simply a camouflage and subterfuge written in as allocation amendment, but having the effect of sim-

ply appropriating twenty-six million dollars out of the General Revenue Fund.

In the first place, this amendment is unconstitutional because under that document one-fourth of all occupational taxes must be allocated to the Available School Fund. Under this proposed amendment the first twenty-six million dollars is set aside for Social Security. There is not a Member of this Legislature who does not know full well that this tax bill does not raise enough money to put twenty-six million dollars in the Social Security Fund and then have available the Constitutional one-fourth for the Available School Fund. It is unfair for this Legislature to ignore the rights of the boys and girls of this State. In my opinion this bill also, conservatively speaking, will take away from the Available School Fund over ten million dollars. We should do more to help the boys and girls of this State who will become our next generation than we do for people who are already going over the horizon.

Not only does this proposed amendment take this huge amount from the Available School Fund, but it ignores the General Revenue Fund. I say that this Legislature is under a sacred obligation to those of our citizens who chance to be employees of this State. I know that very few people are vitally concerned with what happens with the General Revenue Fund, but those people who work in our State Departments and in our eleemosynary institutions have a right to expect this Legislature to see to it that their warrants, when cashed, have value. This Legislature will be derelict in its duty unless we consider this class of our people. This Legislature ought to be humane.

It has been popular in this State to shed crocodile tears for those unfortunate people who are among us, but we must always remember that there are a lot of people who have to pay taxes. I want this Legislature to remember that under the oath that we took we must represent all of the over six million people who constitute the citizenship of this State.

I repeat again, I am not mad at the Governor of this State. I accord him the same sincerity of purpose that I have a right to demand from

him. If he gets any satisfaction out of criticizing me and impugning my sincerity of purpose, I am perfectly willing to make the sacrifice in order that he may receive this satisfaction. It is the duty of every Member of this Legislature to vote their convictions upon this proposition. I have always contended that so long as a Member of this Legislature was willing to vote his honest conviction, just that long could he rest assured that no man in public office, be he a man of high station or low, could ever defeat that Member for public office. If I did not believe that, then I would know those things for which this Government stands and that for which our forefathers made their sacrifices would have been all in vain. I answer only to the people in the district in which I live. I have answered to them before. I am not afraid to answer to them on this proposition.

I don't believe this Legislature is going to be dishonest with the people of Texas and with their own conscience by reconsidering the amendment adopted earlier this day in order that the gentleman from Milam may rob the school children of this State of over ten million dollars and deny the General Revenue Fund of much needed additional revenue. A time when democracy is on trial is no time to forget that the Constitution divides this Government into three parts. Your vote on this amendment is not a vote for or against the Governor. It is a vote for or against the people of Texas.

I thank you sincerely and honestly for your patience.

**ADDRESS BY HONORABLE
REESE TURNER**

On motion of Mr. Reed of Bowie, the following address by Hon. Reese Turner in addressing the House on March 10th, was ordered printed in the Journal:

Mr. Speaker and Members of the House: I have just had a great honor. The gentleman from Hunt, Mr. Morris, seemed not to address his eloquent remarks to the Membership of this House in general, but rather to me personally. I appreciate this distinction.

Our attention has just been called to the fact that the Constitution of Texas provides that there shall be three separate branches of the State Government—the Legislative, the Judicial, and the Executive; and that the duties of these branches shall remain separate and distinct. I grant that there is such a provision, and that it is a wise one; but I say to you that there is nothing in the Constitution which prohibits the Governor of Texas from giving his recommendations to his Legislature, nor is there any provision which prohibits the Legislature from giving those recommendations fair and unbiased consideration. Governor O'Daniel has submitted to this Legislature a measure which sets aside twenty-six million (\$26,000,000.00) dollars of our public revenue for the purpose of giving assistance to our blind, our aged, our destitute children, and our retired teachers. Time after time I have attempted to bring this measure up for consideration on the floor of the House. I have never asked that you vote for this measure. I have merely insisted that it is only right that we should bring it out of the committee in which it has been buried, and allow it to be considered here so that a majority of this Membership may adopt or reject it as they in their wisdom see fit. My efforts have been defeated sometimes by parliamentary maneuvers and sometimes by a bare majority vote. I again plead with you that while we are on the question of taxation for social security purposes we ought to allow the Governor's recommendations to come up for consideration. The amendment that I have just introduced will change the allocation provision of House Bill 8 by inserting in lieu of Section 1 the provisions of the Governor's appropriation bill. The adoption of this amendment will send one-fourth of the revenue raised by House Bill 8 to the Available School Fund and three-fourths to the General Revenue Fund. It then appropriates out of the General Fund the amount of twenty-six (\$26,000,000.00) dollars to take care of our social security obligations.

I have just endured the most

painful experience of my life. The gentleman who preceded me has seen fit to accuse me of insincerity. As far as I know, the sincerity of my untiring efforts to give aid to the aged and to the unfortunates of this State has never been questioned before. And if the gentleman doubts my sincerity, I believe he stands alone. My sincerity is not doubted by the feeble old mother and father out yonder in the remote corners of our State for whom I have given my support to every pension measure that has found its way to the floor of this House during the last two sessions. It is not doubted by the blind of our State who are stumbling through their world of darkness without a hand to lead them, nor is it doubted by the precious little orphans of our State who are deprived of the tender care that every child expects and deserves; for I have tried without ceasing to bring about a full settlement of our State's obligations to them.

It has just been stated that my amendment to House Bill 8 places no money in the Available School Fund—that, on the contrary, it will take ten million (\$10,000,000.00) dollars away from the school children of this State. On this point, I shall allow the exact words of the amendment to speak for me. Allow me to read the portion which refers to the Available School Fund. Quote: "Amend House Bill No. 8, Article X, by striking out all of Section 1, and inserting in lieu thereof the following:

"Section 1. All revenue collected under the provisions of this Act, except as herein expressly provided to the contrary, shall be allocated in the following manner:

"1. One-fourth to the Available School Fund.

"2. Three-fourths to the General Revenue Fund.

"There is hereby created in the office of the State Treasury an account to be known as the Social Security Account." End of quotation. By this provision you see that one-fourth of the money raised under this tax bill is allocated to the Available School Fund. That could not be otherwise, since it is required

by the Constitution. There is nothing in the amendment which takes one cent from the revenue of the present Available School Fund. I will not say that the gentleman has tried to deliberately mislead you by these misstatements of fact. I have the utmost confidence in the integrity of this splendid man. I think that he was just honestly mistaken with regard to the provisions of the measure he was discussing.

The fact has been pointed out that we do not know how much money House Bill 8 on final adoption will raise. This fact has been cited as an argument against the amendment; but I think that it is definitely an argument in favor of the amendment's adoption. We do not know how much revenue House Bill 8 will raise. Nevertheless, most of us promised the people who elected us that we would do everything within our power to settle the social security problem definitely, adequately, and permanently. The revenue raised by House Bill 8 may be enough, and it may not be enough. The revenue raised by this measure will fluctuate from month to month and from year to year. The old people and the unfortunates of Texas should not be subjected to such suspense and uncertainty. We ought, in accordance with my amendment, place the revenue derived from House Bill 8 in the General Fund, and then appropriate out of the General Fund an amount sufficiently large to take care of our social security obligations. In this way, and in this way only, can we settle the problem permanently and definitely, and prevent it from being a political issue in the future as it has been in the past.

I want every Member of this House to be able to go back to his people and say, "We have raised more revenue for the purpose of taking care of your State's obligations; and we have earmarked a definite amount of that for the dependent children, the aged, the blind, and the teachers, in order that they may be relieved of the suspense to which they have been subjected so long, and in order that they may know definitely what to expect." I realize that the General Fund needs money; but I insist

that our first obligation is to our aged and our unfortunates.

There have been introduced in this House several hundred measures of legislation. If you will analyze these measures you will find that almost every one of them was introduced for the purpose of lending assistance to some particular group. We have before us measures for the benefit of oil companies, manufacturers, railroads, truckers, and various other groups, most of which are able, at least in some degree, to take care of themselves. The aged and the unfortunates constitute the only group which is relying entirely on our mercy. I think that before we go further in extending benefits to business, industrial, and social groups, we ought to settle definitely the social security problem. I think that we ought to give crutches to the weak before we provide carriages for the strong. I urge the adoption of my amendment.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Dean:

H. B. No. 723, A bill to be entitled "An Act limiting the tax rate which may be levied in any independent school district situated in any county in this State which county, according to the Federal Census of 1940, had a population of not less than 10,400 and not more than 10,660, and providing for a bond tax of not to exceed 75¢ on the \$100.00 valuation of taxable property in any such district, and a maintenance tax of not to exceed 75¢ on the \$100.00 valuation of taxable property, and further providing that the amount of maintenance tax, together with the amount of bond tax of any such district shall never exceed \$1.50 on the \$100.00 valuation of taxable property within any such district and if the rate of bond tax, together with the rate of maintenance tax voted in the district shall at any time exceed \$1.50 on the \$100.00 valuation, such bond tax shall operate to reduce the maintenance tax

to the difference between the rate of the bond tax and \$1.50, and further providing that no increase of the rate of tax authorized by any previous law shall be made until such action has been authorized by a majority of the votes cast by property taxpaying qualified voters at an election held in any such district for such purpose, and providing that if any part or portion of this Act shall be in conflict with any part or portion of any law of the State, the terms and provisions of this Act shall govern; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Chambers:

H. B. No. 724, A bill to be entitled "An Act providing an open season when it shall be lawful to hunt, take, or kill deer in Brown County, Texas; providing a bag limit of one buck for each hunter; fixing a penalty for the violation hereof; repealing all laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Garland:

H. B. No. 725, A bill to be entitled "An Act directing Red River County to issue certain warrants or other evidence of indebtedness and to declare the validity of certain indebtedness arising out of the construction of State Highway No. 37 in the County of Red River; to place such indebtedness on a parity with bonds, warrants and other evidences of indebtedness heretofore authorized to be paid out of the 'County and Road District Highway Fund'; declaring that this Act shall prevail over all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Roberts:

H. B. No. 726, A bill to be entitled "An Act creating a Special Road Law for Hardeman County, Texas, providing that said county may fund or refund the indebtedness outstanding in its road and bridge fund as

of February 1, 1941, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, time warrants or funding warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; providing for sufficient tax levy; validating all acts of the Commissioners' Court and of the county officials of said county, in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said county when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Shell (by request):

H. B. No. 727, A bill to be entitled "An Act creating a special road law for San Patricio County, Texas; providing that said county may fund or refund into coupon bonds the scrip and time warrants outstanding against its road and bridge fund as of the 28th day of February, 1941; setting forth the method of said funding or refunding; validating all acts of the Commissioners' Court in issuing said scrip and time warrants; validating said scrip and time warrants; providing the General Laws of the State of Texas shall be applicable to San Patricio County when not in conflict herewith; providing this Act shall be cumulative of all General and Special Laws not in conflict herewith; providing a saving clause; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Morris and Mr. Carlton:

H. B. No. 728, A bill to be entitled "An Act authorizing Boards of Trustees in all independent school districts located in any county having a population of more than forty-five thousand (45,000) inhabitants and having an assessed valuation of not more than Seven Hundred Seventy-five Thousand (\$775,000.00)

Dollars and not less than Five Hundred Fifty Thousand (\$550,000.00) Dollars, to issue refunding warrants to bear interest at the rate of three per centum (3%) per annum, for the purpose of paying salaries of employees of the schools; providing that the total amount of such warrants outstanding shall never exceed Five Thousand (\$5,000.00) Dollars at any given time; providing that such warrants shall be issued serially and paid in order; providing the manner of issuing such warrants and validating the same; providing for the levy of a tax by the Board of Trustees to pay the interest on and retire such warrants within a designated time; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Rampy:

H. B. No. 731, A bill to be entitled "An Act amending House Bill No. 375 of the Acts of the Regular Session of the 47th Legislature which became effective on March 7, 1941, for the purpose of correcting a clerical error made during passage of the bill, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Kersey moved to introduce at this time and have placed on first reading House Bill No. 729:

The motion prevailed by the following vote:

Yeas—121

Allen	Burnaman
Allison	Carrington
Alsup	Cato
Anderson	Celaya
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Bean	Coker
Benton	Colson, Mrs.
Blankenship	Connelly
Boone	Craig
Brawner	Crossley
Bridgers	Crosthwait
Brown	Daniel
Bullock	Davis
Bundy	Deen
Burkett	Duckett

Dwyer	McLellan
Ellis	McNamara
Eubank	McMurry
Evans	Manford
Favors	Manning
Ferguson	Markle
Files	Martin
Fitzgerald	Mills
Garland	Montgomery
Gilmer	Moore
Goodman	Morgan
Halsey	Morris
Hanna	Morse
Hardeman	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Heflin	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Hoyo	Roberts
Huddleston	Rhodes
Huffman	Sallas
Hughes	Senterfitt
Humphrey	Shell
Hutchinson	Simpson
Isaacks	Skiles
Jones	Smith of Bastrop
Kelly	Smith of Atascosa
Kennedy	Spacek
Kersey	Spangler
Kinard	Stanford
King	Stinson
Knight	Stubbs
Lansberry	Thornton
Leyendecker	Turner
Little	Walters
Lock	Wattner
Love	Weatherford
Lucas	White
McAlister	Whitesides
McCann	Winfree
McGlasson	

Present—Not Voting

Murray

Absent

Bell	Lowry
Bray	McDonald
Carlton	Matthews
Dickson of Bexar	Nicholson
Dickson of Nolan	Phillips
Dove	Roark
Fuchs	Sharpe
Harris of Hill	Vale
Hartzog	

Absent—Excused

Bruhl	Gandy
Donald	Howard

Howington	Lyle
Klingeman	Taylor
Lehman	Voigt

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Kersey:

H. B. No. 729, A bill to be entitled "An Act authorizing eligible cities and towns as defined herein to issue refunding bonds; prescribing the method of their issuance; providing the methods of securing and paying such bonds, enacting other provisions relating to the subject; making this Act cumulative of other laws; providing that it shall take precedence over other laws general or special, in conflict or inconsistent herewith; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

Mr. Lowry moved to introduce at this time and have placed on first reading House Bill No. 730.

The motion prevailed by the following vote:

Yeas—123

Allen	Daniel
Allison	Davis
Alsup	Deen
Avant	Dickson of Bexar
Bailey	Dove
Baker	Duckett
Bell	Ellis
Benton	Eubank
Blankenship	Evans
Boone	Favors
Brawner	Ferguson
Bridgers	Files
Brown	Fitzgerald
Bullock	Fuchs
Burkett	Garland
Burnaman	Gilmer
Carlton	Halsey
Carrington	Hanna
Cato	Hardeman
Celaya	Hargis
Chambers	Harris of Dallas
Clark	Harris of Hill
Cleveland	Heflin
Coker	Helpinstill
Colson, Mrs.	Henderson
Connelly	Hileman
Craig	Hobbs
Crossley	Hoyo
Crosthwait	Huddleston

Humphrey	Parker
Hutchinson	Pevehouse
Isaacks	Phillips
Jones	Price
Kelly	Rampy
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Kinard	Ridgeway
King	Roark
Knight	Roberts
Lansberry	Rhodes
Lock	Sallas
Love	Senterfitt
Lowry	Sharpe
McAlister	Shell
McCann	Simpson
McGlasson	Skiles
McLellan	Smith of Bastrop
McMurry	Smith of Atascosa
McNamara	Spacek
Manford	Spangler
Manning	Stanford
Markle	Stinson
Martin	Stubbs
Matthews	Thornton
Mills	Turner
Montgomery	Walters
Moore	Wattner
Morgan	Weatherford
Morris	White
Morse	Whitesides
Murray	Winfree
Nicholson	

Absent

Anderson	Huffman
Bean	Hughes
Bray	Leyendecker
Bundy	Little
Dickson of Nolan	Lucas
Dwyer	McDonald
Goodman	Pace
Hartzog	Vale

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Lowry:

H. B. No. 730, A bill to be entitled "An Act to amend Article 4553, Chapter 10, Title 71, of the Revised Civil Statutes of Texas, 1925, as

amended by Section 1, Chapter 7, Acts First Called Session, Forty second Legislature, so as to provide for a State Board of Examiners in Optometry, qualifications for membership, and method of filling vacancies on said Board; providing for Governor to be furnished a list of all licensed optometrists annually by Secretary and Treasurer of said Board; repealing all laws or parts of laws in conflict with the provisions of this Act; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and declaring an emergency."

Referred to the Committee on State Affairs.

MOTION TO INTRODUCE CERTAIN BILL

Mr. Bean moved to introduce at this time and have placed on first reading the following bill:

By Mr. Stubbs, Mr. Bean, Mr. Love and Mr. Manning:

H. B. No. —, A bill to be entitled "An Act providing that all school busses shall be painted in the colors red, white and blue, in a distinctive design as herein described; providing for adequate signs on such busses and specifying the size thereof; providing that it shall be unlawful for any vehicle other than a school bus to travel on the public highways painted in the design described herein for school busses, and providing a penalty therefor; providing that all school busses now in use shall be painted according to the design herein prescribed prior to September 1, 1942; providing that all school busses purchased after the effective date of this Act, and all busses, otherwise owned, contracted for to transport school children after the effective date of this Act, shall be required to be painted according to the design herein described, prohibiting the transportation of school children in any vehicle not so painted; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—67

Baker	Love
Bean	McGlasson
Bell	McLellan
Blankenship	McNamara
Boone	McMurry
Bridgers	Manford
Brown	Manning
Carrington	Martin
Cato	Matthews
Clark	Montgomery
Colson, Mrs.	Moore
Connelly	Morris
Craig	Morse
Crosthwait	Murray
Daniel	Pace
Davis	Pevehouse
Deen	Phillips
Dove	Rampy
Duckett	Reed of Dallas
Dwyer	Ridgeway
Ferguson	Roark
Fuchs	Rhodes
Garland	Sallas
Harris of Dallas	Sharpe
Hoyo	Simpson
Huddleston	Skiles
Huffman	Stanford
Humphrey	Stubbs
Kennedy	Turner
Kersey	Walters
Kinard	Wattner
Knight	Weatherford
Little	Winfree
Lock	

Nays—46

Allen	Harris of Hill
Allison	Helpinstill
Alsup	Henderson
Avant	Hileman
Bailey	Hobbs
Benton	Hughes
Brawner	Hutchinson
Bullock	Jones
Burkett	Kelly
Burnaman	King
Carlton	Lansberry
Cleveland	Markle
Crossley	Mills
Dickson of Bexar	Morgan
Ellis	Parker
Eubank	Price
Evans	Reed of Bowie
Favors	Roberts
Files	Smith of Atascosa
Fitzgerald	Spacek
Halsey	Spangler
Hanna	Stinson
Hargis	Thornton

Present—Not Voting

Senterfitt	Whitesides
Absent	
Anderson	Isaacks
Bray	Leyendecker
Bundy	Lowry
Celaya	Lucas
Chambers	McAlister
Coker	McCann
Dickson of Nolan	McDonald
Gilmer	Nicholson
Goodman	Shell
Hardeman	Smith of Bastrop
Hartzog	Vale
Heflin	White

Absent—Excused

Bruhl	Klingeman
Donald	Lehman
Gandy	Lyle
Howard	Taylor
Howington	Voigt

ADJOURNMENT

On motion of Mr. Stinson, the House at 12:35 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: H. B. Nos. 43, 176 and 286.

Game and Fisheries: H. B. Nos. 120, 498, 501, 515, 557, 585, 674, 689, 714 and 717.

Appropriations: H. B. Nos. 13, 21, 478, 549 and 570.

Public Health: H. B. No. 166; S. B. No. 70.

Agriculture: H. B. No. 346.

Counties: H. B. Nos. 298, 524 and 703; S. B. Nos. 154 and 221.

Municipal and Private Corporations: H. B. No. 334.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 654, A bill to be entitled
"An Act to amend Article 2350c of
Chapter 9, Title 44 of the Revised
Statutes of Texas of 1925, as en-
acted by Chapter 29 of the General
Laws of the Fourth Called Session
of the Thirty-fifth Legislature, and
as amended by Chapter 98 of the
General Laws, Regular Session of
the Thirty-sixth Legislature, and as
amended by Chapter 184 of the Gen-
eral Laws, Regular Session of the
Thirty-eighth Legislature, being an
Act to change the designated year
upon which is based on population
and the assessed valuations of tax-
able properties affected by the Act
to be amended, and relating to the
compensation of county commission-
ers; repealing all laws and parts of
laws in conflict herewith; and de-
claring an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 650, A bill to be entitled
"An Act making it unlawful for any
person to catch, take, or retain in
one day, or have in his possession,
more than fifteen bass, or more than
fifteen crappie or white perch, or
more than thirty in the aggregate
of both bass and crappie or white
perch, thirty game fish and thirty-
six goggle-eye and bream totaling
sixty-six, in Harrison or Marion
County, Texas; defining guides, and
making it unlawful for guides to
catch, take, or retain, or have in
their possession, any bass or crappie
or white perch in either Harrison
or Marion County, Texas; providing
penalties for violation thereof; all

laws and parts of laws conflicting
herewith are hereby repealed, and
declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 593, A bill to be entitled
"An Act providing for the appoint-
ment by the District Judge of the
Sixteenth Judicial District of Texas,
composed of the counties of Cooke
and Denton, or the Judge of the Ju-
dicial District of which the counties
of Cooke and Denton are a part
thereof, of an official shorthand re-
porter for such district; providing
his qualifications; providing that the
salary of said official shorthand re-
porter shall be fixed and determined
by the judge of said district and not
otherwise; providing for the man-
ner of payment of said salary and
out of what fund; providing for
transcript fees and allowance for ex-
penses as provided in Chapter 56,
House Bill No. 276, Acts Regular
Session of the Forty-first Legisla-
ture, 1929, which allowances, as now
provided by law being fixed and es-
tablished as a part of this Act; and
declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 440, A bill to be entitled
"An Act to make it unlawful to
shoot, kill, maim, injure, molest, en-
trap, or detain an Antwerp messen-
ger or homing pigeon, commonly
called a 'carrier pigeon,' and to pro-
vide a penalty for the violation
thereof."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 442, A bill to be entitled "An Act validating certain outstanding road and bridge time warrants of Medina County, Texas, heretofore issued to provide funds for road and bridge purposes, including the purchase of rights-of-way and road machinery; and authorizing the Commissioners' Court of Medina County to fund or refund into coupon road and bridge funding or refunding bonds of said county, said time warrants to the amount of \$49,500.00; providing for the approval of said bonds by the Attorney General and their registration by the State Comptroller; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 436, A bill to be entitled "An Act authorizing the Commissioners Court in each county in this State having a population of not less than Thirty Thousand Three Hundred and Sixty (30,360), nor more than Thirty Thousand Four Hundred (30,400), according to the last preceding Federal Census, to allow each County Commissioner certain expense for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 409, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws, passed at the Second Called Session of the Forty-second Legislature, as amended by Chapter 4, Special Laws passed at the Regular Session of the Forty-sixth Legislature, relating to the appointment and compensation of County Auditors in counties containing a population of Thirty-five Thousand (35,000) inhabitants, or over, according to the preceding Federal Census, or having a tax valuation of Fifteen Million (\$15,000,000) Dollars, according to the last approved tax rolls; and providing that in all counties of not less than Ten Thousand, Three Hundred and Eighty (10,380) inhabitants and not more than Ten Thousand, Three Hundred and Ninety (10,390) inhabitants according to the 1940 Federal Census, the Commissioners' Courts thereof shall have the power to determine whether an auditor for such county is a public necessity in the dispatch of the county's business, and if such court determines that such necessity exists for such auditor, it may appoint same, who shall qualify and perform the duties required of a County Auditor in this State, and such Commissioners' Court shall have the power to discontinue such office at any time that it may determine that such auditor be not a public necessity; and providing for additional compensation for the County Auditors in such counties having more than Two Hundred Thousand (200,000) population and not more than Three Hundred Thou-

sand (300,000) population according to the last Federal Census where there is a City and County Hospital to care for city and county patients, and where a financial record for such hospital must be kept and reports made to the city and county; and providing that if any portion of this Act be declared unconstitutional or invalid, the remainder shall not be affected thereby; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 412, A bill to be entitled "An Act amending Section 3 of H. B. No. 1152, Regular Session, Forty-fifth Legislature, so as to permit the sale of Minnows in Johnson County."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, March 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 482, "An Act validating certain bonds heretofore authorized to be issued under the authority of Chapter 83 of the Acts of the First Called Session of the Forty-first Legislature in reference to acquisition of lands by cities and counties for airport purposes; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, March 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 38, Authorizing William W. Shuff and Mrs. Surrilda W. Shuff to sue the State,

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

SENT TO THE GOVERNOR

March 12, 1941

House Bill No. 482.

House Concurrent Resolution No. 38.

In Memory of Honorable Raglin Jones

Mr. Lehman offered the following resolution:

H. C. R. No. 63, In Memory of Honorable Raglin Jones.

Whereas, On the seventh day of March, 1941, our Almighty Maker in His superior judgment, which we mortals can little understand, called from our earthly ranks the great and good soul of the Honorable Raglin Jones, former Member of the House of Representatives. He answered that call as gallantly and preparedly as he has always answered every other call in every day life. He had to answer this call with his life by means of an automobile accident at the age of forty years, at which time he was residing in Austin; and

Whereas, The Honorable Raglin Jones had served his State in many valuable ways, giving much of his life to that of public service. His ability and energy made him one of the most outstanding leaders in public welfare. He taught school for a number of years and served most capably as a Member of the Forty-fourth and Forty-fifth Legislatures from the 96th Floterial District. He generously contributed his time and talent to humanitarian interest and the welfare of his State and fellow citizens. He received a large part of his education at the University of Texas, and, at the time of his death, was employed by the State Health Department. By his innumerable good deeds he shall enjoy the immortality that is imperishable, and his contributions and good deeds to his State and country shall keep his memory ever aglow, meriting him the highest honor and ovation this State can pay; and

Whereas, Members of the Forty-seventh Legislature and the State of Texas bow their heads in a spirit of respect for the great loss of the Honorable Raglin Jones; and, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That we acknowledge the loss of his inspiring presence and splendid record as a leader, and that a copy of this resolution be spread on the memorial pages of the Senate and the House Journals of the day, letting this serve as an acknowledgment of the debt Texas owes, and the tribute that Texas pays to a true son of the people; and be it further

Resolved, That the Secretary of the Senate and Chief Clerk of the House of Representatives, send the family of the deceased a copy of this resolution under their respective seals; and when the Senate and House of Representatives adjourn today that they do so in solemn tribute to a man whose name shall live long in the consciousness of his State, and in the affection of his friends and sorrowing family.

LEHMAN,
McNAMARA,
HUDDLESTON,
MORSE,
DAVIS.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner,

Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Carlton, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.